

**AMENDMENT TO THE CLAIMS:**

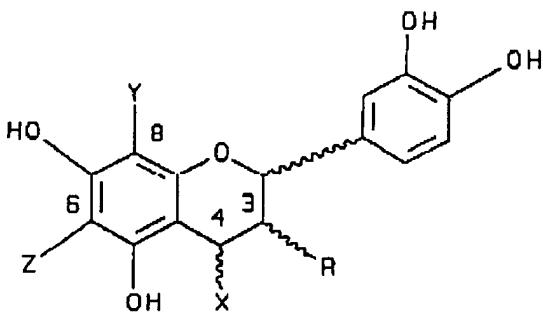
Claims 1-30 (Canceled)

Claim 31 (Currently amended) A non-chocolate food product comprising (i) a cocoa polyphenol and (ii) L-arginine in a combined amount effective to induce a physiological increase in nitric oxide upon ingestion by a human or a veterinary animal,

wherein the increase in nitric oxide has a therapeutic or prophylactic effect when the product is administered for an effective period of time, and the L-arginine is in the amount of at least 1mg/g;

with the proviso that when the cocoa polyphenol is in the form of a cocoa ingredient, the amount of L-arginine is greater than that provided with the cocoa ingredient.

Claim 32 (Currently amended) A non-chocolate food product comprising (i) a polyphenol compound of formula A<sub>n</sub>, wherein n is 1 or 2 to 18 and A has the following formula:



R is 3-(a) - OH, 3-(β), 3-(α)- O-saccharide, 3-(β)-O-saccharide, 3-(α)-O-C(O)-R', or 3-(β)-OC(O)-R';

bonding between adjacent monomers takes place at positions 4, 6 or 8;  
a bond to a monomer in position 4 has alpha or beta stereochemistry;

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X, Y and Z are selected from the group consisting of A, hydrogen, and a saccharide moiety, with the proviso that as to at least one terminal monomer, bonding of the adjacent monomer thereto is at position 4 and optionally Y = Z = hydrogen; and

wherein the saccharide moiety is a mono- or di-saccharide moiety and may be optionally substituted with a phenolic moiety and R' may be an aryl or heteroaryl moiety optionally substituted with at least one hydroxyl group; and

salts, derivatives and oxidation products thereof;

and (ii) L-arginine in a combined amount effective to induce a physiological increase in nitric oxide upon ingestion by a human or a veterinary animal,

wherein the increase in nitric oxide has a therapeutic or prophylactic effect when the product is administered for an effective period of time, and the L-arginine is in the amount of at least 1mg/g:

with the proviso that when the polyphenol compound is in the form of a cocoa ingredient, the amount of L-arginine is greater than that provided with the cocoa ingredient.

**Claim 33 (Previously presented)** The non-chocolate food product of claim 31, wherein the cocoa polyphenol is in the form of a cocoa extract.

**Claim 34 (Previously presented)** The non-chocolate food product of claim 32, wherein the cocoa polyphenol is in the form of a cocoa extract.

**Claim 35 (Previously presented)** The non-chocolate food product of claim 31, wherein the cocoa polyphenol is in the amount of at least 1 mg/g.

**Claim 36 (Previously presented)** The non-chocolate food product of claim 31, wherein the cocoa polyphenol is in the amount of at least 1.25 mg/g.

Claim 37 (Previously presented) The non-chocolate food product of claim 31, wherein the cocoa polyphenol is in the amount of at least 1.5 mg/g.

Claim 38 (Previously presented) The non-chocolate food product of claim 31, wherein the cocoa polyphenol is in the amount of at least 2 mg/g.

Claim 39 (Previously presented) The non-chocolate food product of claim 31, wherein the cocoa polyphenol is in the amount of at least 5 mg/g.

Claims 40 (Previously presented) The non-chocolate food product of claim 31, wherein the L-arginine is the amount of at least 10 mg/g.

Claims 41 (Previously presented) The non-chocolate food product of claim 32, wherein the L-arginine is the amount of at least 10 mg/g.

Claim 42 (Previously presented) The non-chocolate food product of claim 31, wherein the cocoa polyphenol is in the form of a cocoa ingredient.

Claim 43 (Previously presented) The non-chocolate food product of claim 32, wherein the polyphenol compound is in the form of a cocoa ingredient.

Claim 44 (Previously presented) The non-chocolate food product of claim 31, which is a peanut-based food product.

Claim 45 (Previously presented) The non-chocolate food product of claim 44, wherein the peanut-based food product is peanut butter.

Claim 46 (Previously presented) The non-chocolate food product of claim 44, wherein the peanut-based food product is peanut brittle.

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Claim 47 (Previously presented) The non-chocolate food product of claim 32, which is a peanut-based food product.

Claim 48 (Previously presented) The non-chocolate food product of claim 47, wherein the peanut-based food product is peanut butter.

Claim 49 (Previously presented) The non-chocolate food product of claim 47, wherein the peanut-based food product is peanut brittle.

Claim 50 (Previously presented) The non-chocolate food product of claim 31, wherein the L-arginine is in the form of an L-arginine-containing ingredient selected from the group consisting of peanuts, walnuts, hazelnuts, almonds, and soy beans.

Claim 51 (Previously presented) The non-chocolate food product of claim 32, wherein the L-arginine is in the form of an L-arginine-containing ingredient selected from the group consisting of peanuts, walnuts, hazelnuts, almonds, and soy beans.

Claims 52 (Previously presented) The non-chocolate food product of claim 31, wherein the food product is a pet food.

Claim 53 (Previously presented) The non-chocolate food product of claim 52, wherein the cocoa polyphenol is in the form of cocoa extract.

Claim 54 (Previously presented) The non-chocolate food product of claim 52, wherein the cocoa polyphenol is in the amount of at least 1 mg/g.

Claim 55 (Previously presented) The non-chocolate food product of claim 52, wherein the cocoa polyphenol is in the amount of at least 1.25 mg/g.

Claim 56 (Previously presented) The non-chocolate food product of claim 52, wherein the cocoa polyphenol is in the amount of at least 1.5 mg/g.

Claim 57 (Previously presented) The non-chocolate food product of claim 52, wherein the cocoa polyphenol is in the amount of at least 2 mg/g.

Claim 58 (Previously presented) The non-chocolate food product of claim 52, wherein the cocoa polyphenol is in the amount of at least 5 mg/g.

Claim 59 (Previously presented) The non-chocolate food product of claim 52, wherein the amount of L-arginine is at least 10 mg/g.

Claims 60 (Previously presented) The non-chocolate food product of claim 32, wherein the food product is a pet food.

Claim 61 (Previously presented) The non-chocolate food product of claim 60, wherein the polyphenol compound is in the amount of at least 1 mg/g.

Claim 62 (Previously presented) The non-chocolate food product of claim 60, wherein the polyphenol compound is in the amount of at least 1.25 mg/g.

Claim 63 (Previously presented) The non-chocolate food product of claim 60, wherein the polyphenol compound is in the amount of at least 1.5 mg/g.

Claim 64 (Previously presented) The non-chocolate food product of claim 60, wherein the polyphenol compound is in the amount of at least 2 mg/g.

Claim 65 (Previously presented) The non-chocolate food product of claim 60, wherein the polyphenol compound is in the amount of at least 5 mg/g.

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**Claim 66 (Previously presented)** The non-chocolate food product of claim 60, wherein the amount of L-arginine is at least 10 mg/g.

**Claim 67 (Previously presented)** A non-chocolate food product comprising a cocoa polyphenol in the amount of at least 1 mg/g and L-arginine in the amount of least 10 mg/g.

**Claim 68 (Previously presented)** The non-chocolate food product of claim 67, wherein the cocoa polyphenol is in the amount of at least 1.25 mg/g.

**Claim 69 (Previously presented)** The non-chocolate food product of claim 67, wherein the cocoa polyphenol is in the amount of at least 1.5 mg/g.

**Claim 70 (Previously presented)** The non-chocolate food product of claim 67, wherein the cocoa polyphenol is in the amount of at least 2 mg/g.

**Claim 71 (Previously presented)** The non-chocolate food product of claim 67, wherein the cocoa polyphenol is in the amount of at least 3 mg/g.

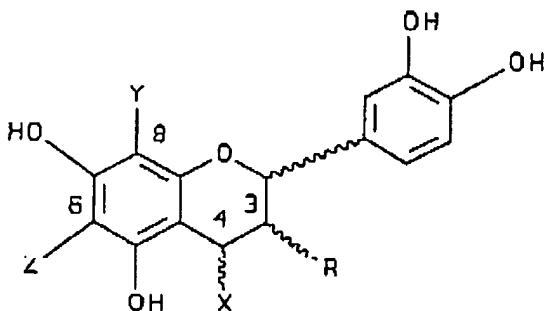
**Claim 72 (Previously presented)** The non-chocolate food product of claim 67, wherein the cocoa polyphenol is in the amount of at least 4 mg/g.

**Claim 73 (Previously presented)** The non-chocolate food product of claim 67, wherein the cocoa polyphenol is in the amount of at least 5 mg/g.

**Claim 74 (Previously presented)** The non-chocolate food product of claim 67, wherein L-arginine is in the amount of at least 100 mg/g.

**Claim 75 (Currently amended)** A method of treating or preventing an NO responsive disease or disorder by administering to a subject in need thereof an effective (W:\DOCS\NJPC\1010\0102us4\00001479.DOC)

amount of a composition comprising (i) a polyphenol compound of formula A<sub>n</sub>, wherein n is 1 or 2 to 18 and A has the following formula:



R is 3-( $\alpha$ ) - OII, 3-( $\beta$ ), 3-( $\alpha$ )- O-saccharide, 3-( $\beta$ )-O-saccharide, 3-( $\alpha$ )-O-C(O)-R', or 3-( $\beta$ )-OC(O)-R';

bonding between adjacent monomers takes place at positions 4, 6 or 8;

a bond to a monomer in position 4 has alpha or beta stereochemistry;

X, Y and Z are selected from the group consisting of A, hydrogen, and a saccharide moiety, with the proviso that as to at least one terminal monomer, bonding of the adjacent monomer thereto is at position 4 and optionally Y = Z = hydrogen; and

wherein the saccharide moiety is a mono- or di-saccharide moiety and may be optionally substituted with a phenolic moiety and R' may be an aryl or heteroaryl moiety optionally substituted with at least one hydroxyl group; and

salts, derivatives and oxidation products thereof;

and (ii) L-arginine in a combined amount effective to modulate nitric oxide and/or NO synthase upon ingestion by a human or a veterinary animal,

wherein the L-arginine is in the amount of at least 1mg/g;

with the proviso that when the compound is in the form of a cocoa ingredient, the amount of L-arginine is greater than that provided with a cocoa ingredient.

**Claim 76 (Previously presented)** The method of claim 75, wherein the NO-responsive disease and/or disorder is selected from the group consisting of: hypertension, cardiovascular disease, renal disease, and impaired cognitive function.

**Claim 77 (Previously presented)** The method of claim 76, wherein the composition is a food.

**Claim 78 (Previously presented)** The method of claim 76, wherein the composition is a pharmaceutical.

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